



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

70

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/537,506	03/29/2000	Judith Continelli	10655.9400	6236
7590 03/10/2006				
Snell & Wilmer L L P One Arizona Center 400 East Van Buren Phoenix, AZ 85004-2202			EXAMINER BACKER, FIRMIN	
			ART UNIT 3621	PAPER NUMBER

DATE MAILED: 03/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/537,506

Applicant(s)

CONTINELLI ET AL.

Examiner

FIRMN BACKER

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 47-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 47-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 6th, 2006 has been entered.

Amendment

2. An amendment has been filed with the RCE on February 6th, 2006
3. Claims 47, 50, 51 and 53-55 have been amendment
4. No claim has been canceled
5. No claim has been added
6. Claims 47-55 remain pending in the application.

Response to Arguments

7. Applicant's arguments with respect to claims 47-55 have been considered but are moot in view of the same ground(s) of rejection.

Specification

The disclosure is objected to because of the following informalities: “resolution template is independent of a type of said financial dispute and resolution templates are available only to issuers.”

Applicant had introduced this informalities as new matter in a previous amendment which was objected to. Examiner had request that applicant corrected the informalities. However, proper correction was not made. Examiner is requesting that the introduced new subject matter be removed/canceled from the claims.

8. Claims 47 and 51 objected to because of the following informalities: new matter. Appropriate correction is required.

9. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: “resolution template is independent of a type of said financial dispute and resolution templates are available only to issuers.”

Claim Rejections - 35 USC § 112

10. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 3621

11. Claims 47 and 51 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

12. Claims 47 and 51 recites the limitation "'resolution template is independent of a type of said financial dispute and resolution templates are available only to issuers.'" There is insufficient antecedent basis for this limitation in the disclosure.

Claim Rejections - 35 USC § 102

13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

14. Claims 47-55 are rejected under 35 U.S.C. 102(e) as being anticipated by Israel et al (U.S. PG Pub no. 2004/0210540).

15. As per claim 47, Israel et al teach a method, implemented on a computer network, for facilitating the manual input of information into a plurality of electronic documents selected from a discrete set of electronic templates, for the purpose of streamlining the resolution of a financial dispute relating to a transaction card transaction, the method comprising the steps of:

Art Unit: 3621

performing a purchase transaction between a cardmember and a merchant using a transaction card issued to the cardmember by an Issuer, thereafter providing notice by the cardmember to the Issuer that the cardmember disputes the purchase transaction; the Issuer initiating, in response to the notice from the cardmember, a predetermined resolution protocol, wherein the purpose of the protocol is to resolve an ensuing dispute between the Issuer and an Acquirer with respect to a backend processing transaction associated with the purchase transaction, and further wherein the backend transaction involves the Acquirer collecting money from the cardmember and coordinating payment to the merchant for the purchase transaction in accordance with a preexisting backend processing agreement between the Issuer and the Acquirer', wherein the resolution protocol comprises selecting, by the Issuer, from a discrete, predetermined set of electronic dispute resolution templates, a first template, inputting into the first template, by the Issuer, information relating to the disputed purchase transaction to thereby generate from the first template a first issuer form; electronically transmitting the first issuer form from the issuer to the Acquirer; successively selecting additional ones of the templates, by the Issuer and the Acquirer, respectively, to thereby generate additional issuer and Acquirer forms; and electronically exchanging the additional issuer and acquirer forms in accordance with the resolution protocol, and resolving the backend transaction dispute between the issuer and the Acquirer using the issuer forms and the Acquirer form; and in accordance with the resolution protocol (*see paragraphs 0009, 0011, 0014, 0016, 00356, 0053, 0060, 0132, 0134-0138, 0144, 0145, 0150, 0151*).

Art Unit: 3621

16. As per claim 48, Isreal et al teach a method of retrieving at least one stored file; and attaching the file to the one of at least one of the Issuer forms and Acquirer forms (*see paragraphs 0009, 0011, 0014, 0016, 00356, 0053, 0060, 0132, 0134-0138, 0144, 0145, 0150, 0151*).

17. As per claim 49, Isreal et al teach a method comprises at least one of Retrieval Request, a First Chargeback and a Final Chargeback, and the Acquirer forms comprises at least one of a Fulfillment and a Second Presentment (*see paragraphs 0009, 0011, 0014, 0016, 00356, 0053, 0060, 0132, 0134-0138, 0144, 0145, 0150, 0151*).

18. As per claim 50, Isreal et al teach a method comprising selecting, by the Acquirer, a second template from the predetermined set, and manually inputting into the second template information responsive to the first issuer form to thereby generate a first acquirer form; and, electronically transmitting the first acquirer form from the Acquirer to the Issuer (*see paragraphs 0009, 0011, 0014, 0016, 00356, 0053, 0060, 0132, 0134-0138, 0144, 0145, 0150, 0151*).

19. As per claim 51, Isreal et al teach a method executed in a network computer system for facilitating communication between an Issuer and an Acquirer in the context of resolving a post-transactional dispute, wherein the dispute is between the Issuer and the Acquirer and the dispute is related to an executed credit transaction between a cardmember and a merchant, the executed credit transaction involving a cardmember's transaction card, the network computer system having a server and at least one access terminal, the method comprising accepting at the server a

Art Unit: 3621

User ID and password from the Issuer at a first access terminal, retrieving from the server a pre-defined set of Issuer dispute handling forms having pre-defined content which coincide with the User ID; displaying the pre-defined set of Issuer forms at the first access terminal, selecting, by the Issuer, one of the pre-defined set of Issuer forms at the first access terminal; receiving input entered on the selected one of the Issuer forms at the first access terminal', transmitting within the network the one of the Issuer forms to the Acquirer in dispute with the Issuer', notifying the Acquirer at a second access terminal of the one of the Issuer forms; accepting at the server a User ID and password from the Acquirer at the second access terminal', retrieving from the server a set of Acquirer dispute handling forms having pre-defined 'content which coincide with the Acquirer User m; displaying the set of Acquirer forms at the second access terminal; selecting, by the Acquirer, one of the Acquirer forms at the second access receiving input entered on the selected one of the Acquirer forms at the second access terminal; transmitting within the network the one of the Acquirer forms to the Issuer; and, notifying the Issuer at the first access terminal of the one of the Acquirer forms (*see paragraphs 0009, 0011, 0014, 0016, 00356, 0053, 0060, 0132, 0134-0138, 0144, 0145, 0150, 0151*).

20. As per claim 52, Isreal et al teach a method of retrieving at least one stored file from the server; and attaching the file to the one of at least the Issuer forms and Acquirer forms (*see paragraphs 0009, 0011, 0014, 0016, 00356, 0053, 0060, 0132, 0134-0138, 0144, 0145, 0150, 0151*).

Art Unit: 3621

21. As per claim 53, Isreal et al teach a method of receiving at the second access terminal at least one scanned document computer readable format storing the scanned document on the server; and attaching the scanned document to one of the forms (*see paragraphs 0009, 0011, 0014, 0016, 00356, 0053, 0060, 0132, 0134-0138, 0144, 0145, 0150, 0151*).

22. As per claim 54, Isreal et al teach a method of accepting at the server a User ID and password from a third-party user at a third access terminal, retrieving from the server a set of reports which coincide with the third-party user ID displaying the set of reports at the third access terminal, and receiving instructions from the third party user to transfer monetary liability to at least one of the issuer from the Acquirer and the Acquirer from the issuer (*see paragraphs 0009, 0011, 0014, 0016, 00356, 0053, 0060, 0132, 0134-0138, 0144, 0145, 0150, 0151*).

23. As per claim 55, Isreal et al teach a method comprises matching the User ID and password with information stored in a database accessible to the server (*see paragraphs 0009, 0011, 0014, 0016, 00356, 0053, 0060, 0132, 0134-0138, 0144, 0145, 0150, 0151*).

Conclusion

24. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

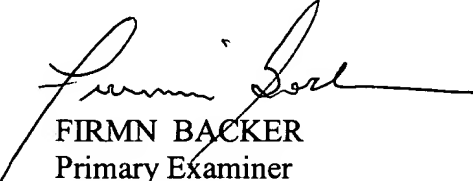
Art Unit: 3621

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FIRMN BACKER whose telephone number is 571-272-6703. The examiner can normally be reached on Monday - Thursday 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


FIRMN BACKER
Primary Examiner
Art Unit 3621

March 2, 2006